

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

E-FILING

SAN JOSE DIVISION

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

THE UNITED STATES OF AMERICA

vs.

STEVEN RODRIGUEZ

SUPERSEDING INDICTMENT

COUNT ONE: 18 U.S.C. § 922(g)(1) – Felon In Possession of
Firearm and Ammunition

COUNT TWO: 18 U.S.C. § 922(g)(3) – Unlawful Controlled
Substance Abuser in Possession of Firearm.

A true bill.

Ramona Wills

Foreperson

10
JW
Filed in open court this 9 day of July

A.D. 2008

[Signature]
UNITED STATES MAGISTRATE JUDGE

Bail. \$ No process Required

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

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Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN RODRIGUEZ,

Defendant

No. CR 08-00156 - JW

VIOLATION: 18 U.S.C. §922(g)(1) –
Felon in Possession of Firearm and
Ammunition; 18 U.S.C. § 922(g)(3)–
Unlawful Controlled Substance Abuser in
Possession of Firearm.

SAN JOSE VENUE

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 922(g)(1) – Felon In Possession of Firearm and Ammunition)

On or about February 23, 2007, in the Northern District of California the defendant,

STEVEN RODRIGUEZ,

having been previously convicted of a crime punishable by a term of imprisonment exceeding

SUPERSEDING INDICTMENT

FILED

2008 JUL -9 P 3:10

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

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1 one year, did knowingly possess a firearm, to wit, a Remington Model 870 12 gauge shotgun,
2 serial number V631321V, and five rounds of 12 gauge ammunition, in and affecting commerce,
3 in violation of Title 18 U.S.C. Section 922(g)(1).

4 COUNT TWO: (18 U.S.C. § 922(g)(3) – Unlawful Controlled Substance Abuser in Possession
5 of Firearm)

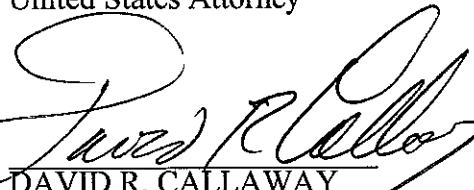
6 On or about February 23, 2007, in the Northern District of California the defendant,
7 STEVEN RODRIGUEZ,
8 then being an unlawful user of a controlled substance as defined in 21 U.S.C. § 802(6), did
9 knowingly possess a firearm, to wit, a Remington Model 870 12 gauge shotgun, serial number
10 V631321V, and five rounds of 12 gauge ammunition, in and affecting commerce, in violation of
11 Title 18 U.S.C. Section 922(g)(3).

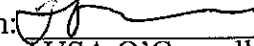
12
13 DATED: 7/9/08

14 A TRUE BILL

15 
16 FOREPERSON

17
18 JOSEPH P. RUSSONIELLO
19 United States Attorney

20 
21 DAVID R. CALLAWAY
22 Deputy Chief, San Jose Branch

23
24 (Approved as to form: 
25 AUSA O'Connell
26
27
28

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED
 COUNT ONE: Title 18 United States Code,
 Section 922(g)(1) - Felon in Possession of
 Firearm and Ammunition; COUNT TWO: 18
 U.S.C. § 922(g)(3) - Unlawful Controlled
 Substance Abuser in Possession of Firearm

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 10 years imprisonment
 \$250,000 fine
 3 years supervised release
 \$100.00 special assessment
E-FILING**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

S/A THOMAS CUNNINGHAM-ATF

☐ person is awaiting trial in another Federal or State
 Court, give name of court

☐ this person/proceeding is transferred from another
 district per (circle one) FRCrP 20, 21 or 40. Show
 District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on
 motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a
 pending case involving this same
 defendant

☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding
 this defendant were recorded under
SHOW
DOCKET NO.MAGISTRATE
CASE NO.
 Name and Office of Person
 Furnishing Information on
 THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

THOMAS M. O'CONNELL

 Name of District Court and/or Judge/Magistrate Location
 NORTH DISTRICT OF CALIFORNIA

DEFENDANT, U.S.

STEVEN RODRIGUEZ WIEKING

 DISTRICT COURT NUMBER
 CR 08-00156 DIST. OF CA S.J.
DEFENDANT**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons
 was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

 Has detainer
 been filed?

☐ Yes
☐ No

 If "Yes"
 give date
 filed

**DATE OF
 ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
 TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS*
☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

 *Where defendant previously apprehended on complaint, no new summons
 or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____